

Article - Family Law

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§5–3A–15.

(a) On issuance of a show–cause order as to guardianship of a child, a petitioner shall serve the order on each of the child’s living parents who has not consented to the guardianship.

(b) Service under this section shall be by:

(1) personal service; or

(2) certified mail, restricted delivery, return receipt requested.

(c) Service on a parent under this section shall be attempted at the parent’s last address known to the petitioner.

(d) (1) If a court is satisfied, by affidavit or testimony, that, after reasonable efforts in good faith, a petitioner could not identify a parent or could not effect service on a parent, the court shall order service through notice by publication as to that parent.

(2) Notice under this subsection shall consist of substantially the following statement:

To: (Father’s name) To: (Mother’s name) To: Unknown parent

“You are hereby notified that a guardianship case has been filed in the circuit court for (county name), case no. (number). All persons who believe themselves to be parents of a (male or female) child born on (date of birth) in (city, state) to (mother’s and father’s names and dates of birth) shall file a written response. A copy of the show–cause order may be obtained from the clerk’s office at (address) and (telephone number). If you do not file a written objection by (deadline), you will have agreed to the permanent loss of your parental rights to this child.”

(3) Service under this subsection shall be by:

(i) publication at least once in one or more newspapers in general circulation in the county where the parent last resided or, if unknown, where the petition is filed; and

(ii) posting for at least 30 days on a website of the Department.

(4) The Department may charge a petitioner a reasonable fee to cover the cost of posting.

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